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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,918	01/11/2002	Ramesh Pendakur	42390P11552	7242
8791 7590 04/08/2009 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
LL GUANG W				
ART UNIT		PAPER NUMBER		
2446				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/043,918

Applicant(s)

PENDAKUR, RAMESH

Examiner

GUANG LI

Art Unit

2446

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 16 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 16 and 19-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Remark date 03/30/2009
2. Claims 1-3, 5, 16 and 19-27 are presented for examination.

Response to Arguments

3. Applicant's arguments with respect to claims 1-3, 5, 16 and 19-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3, 5, 16 and 19-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bookman (US 2003/0050929 A1) in view of Sheeran (US 6,909,726) further in view of Hudson (US 2002/0059499 A1).
5. Regarding claim 1, Bookman teaches a method comprising:
receiving content from one or more content sources (Submitted Content 150 and Website Data In 700" This module 1130 is a workflow and editing application that enables editing of content within the Term Database, administration of dictionaries, and management of a virtual team of content submitters 150 to build dictionary content" see Bookman: ¶[0120]; Fig.1 Block 150; Fig.7 block 700);
distributing a metadata dictionary to a plurality of network nodes, wherein the metadata dictionary comprises content descriptors (Richlink content settings "RichLink

Dictionary Content settings include the dictionaries to be used for linking in that layer” see Bookman: ¶[0091]; ¶[0106];¶[0113]);

receiving subscription information from the plurality of network nodes (exchange information between the database and AR/AP information “This interface 320 handles the exchange of information between the customer database 220 and AP and AR information” see Bookman: ¶[0043]);

matching the content and the subscription information to form an aggregate content bit for the plurality of network nodes (matching terms and content associated with matching terms for identified in a way to allow automated identification of the dictionary to which it belongs “There is a one-to-many relationship developed between matching terms and content associated with matching terms” see Bookman: ¶[0037]);

generating an aggregated content stream based on the allocated bandwidth, wherein the aggregated content stream comprises aggregated content (term of interest are filtering using a set of rules “This module 240 is a library that contains all terms and associated content that can be sorted and queried, using business criteria to organize into dictionaries of similar information” and “Examples of types of term rules are, product names and company names. An example of a term used in an unusual manner is a verb used as a proper noun. As terms are chosen, a list is created containing terms of interest as well as the rules that led to their selection. The pages and sites on which the terms occur are noted and categorized” see Bookman: ¶[0037] ¶[0077]; ¶[0079]; ¶[0093]); and

distributing the aggregated content stream to a plurality of filtering network nodes, wherein the aggregated content stream is filtered via filtering hubs

located at the plurality of filtering network nodes (distributing file to different categories with set of rule “Files matching the specified types are parsed 710 using natural language processing to tokenize the text into significant objects such as words and phrases until a full index of all words and phrases on the site is created” see Bookman; ¶[0076-0077]; Fig.7 block 710; “Categorizer”).

Bookman does not explicitly disclose creating a rating survey via the subscription information, the rating survey to maximize allocation of bandwidth, the rating survey including user data, the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content, and observational profile information including automated observation or user-contributed observation; and allocating the bandwidth according to the rating survey.

However, Sheeran teaches creating a rating survey via the subscription information (generating feedback based on the user behavior “The feedback from the subscribers or service nodes may be generated based on the downstream end user behavior” see Sheeran: col.2 lines 3-17), the rating survey to maximize allocation of bandwidth (dynamic allocate the bandwidth based on the subscriber behavior; channel tuning information and optimizing bandwidth efficiencies “The subscriber behavior data may be processed to generate information about the current bandwidth demands of each service node 20 and then may be forwarded onto the bandwidth manager 40 that may use the feedback to dynamically allocate the bandwidth of the system between the various services” see Sheeran: col.4 lines 25-34; col.5 lines 10-28; col.2 lines 18-39), the rating survey including user data, and observational profile information including automated observation or user-contributed observation (feedback include end user behavior for bandwidth allocation “The feedback from the subscribers or service nodes may be

generated based on the downstream end user behavior” see Sheeran: col.2 lines 3-17), and allocating the bandwidth according to the rating survey (allocation bandwidth based on subscriber feedback “the service servers may receive incoming data to be transmitted via the broadcast system and receive feedback about the subscriber behavior that is used to control the bandwidth allocation” see Sheeran: col. 3 lines 49-60) in order to optimizing bandwidth efficiencies in the distribution system (Sheeran: col. 1 lines 45-57).

It would have been obvious to one of ordinary skill in the art at the time of invention to create the invention of Bookman to include (or to use, etc.) the creating a rating survey via the subscription information, the rating survey to maximize allocation of bandwidth, the rating survey including user data, the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content, and observational profile information including automated observation or user-contributed observation; and allocating the bandwidth according to the rating survey as taught by Sheeran in order to optimizing bandwidth efficiencies in the distribution system (Sheeran: col. 1 lines 45-57).

The modified Bookman fails to teach the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content.

However, Hudson teaches the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content (the preferences contains user channel interest, timing and content updates “These preferences are provided to a feedback control subsystem 94 of the cache control system 56. The

collected explicit preferences preferably include end user selected frequency, timing and priority of control file and content updates, channel category interests and other similar information” see Hudson: ¶[0046]) in order to provide end-user with on-demand streaming content in a high-quality, reliably continuous form (Hudson: ¶[0012]).

It would have been obvious to one of ordinary skill in the art at the time of invention to create the invention of modified Bookman to include (or to use, etc.) the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content as taught by Hudson in order to in order to provide end-user with on-demand streaming content in a high-quality, reliably continuous form (Hudson: ¶[0012]).

6. Regarding claim 2, Bookman through Hudson taught the method of content delivery according to claim 1, as described above. Bookman further comprising: generating a plurality of user profiles comprising the subscription information; associating the content descriptors with the plurality of user profiles; saving the user profiles; generating a plurality of personalized content streams based on the plurality of user profiles by dividing the aggregated content stream into the plurality of personalized content streams; and providing the plurality of personalized content streams to the plurality of receiving network nodes (user profiles “A user of the system has a home page portal which links them to parts of the system and provides access to personalized content such as news, products and service announcements and promotional items. The homepage includes features such as focused page content, based on the user’s profile and preferences.” see Bookman: ¶[0047]).

7. Regarding claim 3, Bookman through Hudson taught the method of content delivery according to claim 1, as described above. Bookman further teaches wherein the generating the plurality of personalized content streams comprises filtering the aggregated content stream by comparing the aggregated content stream with the plurality of user profiles (user profiles that includes personalized content “A user of the system has a home page portal which links them to parts of the system and provides access to personalized content such as news, products and service announcements and promotional items. The homepage includes features such as focused page content, based on the user’s profile and preferences.” see Bookman: ¶[0047]).

8. Regarding claim 5, Bookman through Hudson taught the method of content delivery according to claim 1, as described above. Bookman further comprising providing the plurality of personalized content streams to the plurality of corresponding users (user profiles for the corresponding user based on user profile and preferences “A user of the system has a home page portal which links them to parts of the system and provides access to personalized content such as news, products and service announcements and promotional items. The homepage includes features such as focused page content, based on the user’s profile and preferences.” see Bookman: ¶[0047]).

9. Regarding claim 16, claim 16 is rejected as the same reason as claim 1 as set forth hereinabove. Regarding claim 1, Bookman through Hudson taught the claimed method, therefore together, they teach the claimed system with processor and storage medium (Richlink processor and Richlink Term Database see Bookman: Fig.1 block 160; Fig.7).

10. Regarding claim 19, Bookman through Hudson taught the method of content delivery according to claim 16, as described above. Bookman further teaches wherein the

content distributor computer system comprises one or more of broadcasting networks, local broadcasters, cable providers and operators, satellite service provider, and other content providers (E-commerce 450 for online sale see Bookman: ¶[0056-0057]).

11. Regarding claim 20, Bookman through Hudson taught the method of content delivery according to claim 16, as described above. Hudson further teaches wherein the plurality of filtering hubs comprises one or more of head-ends, local broadcasters, local satellite stations, and filtering stations (radio program broadcaster see Hudson: ¶[0066]).

12. Regarding claim 21, Bookman through Hudson taught the method of content delivery according to claim 16, as described above. Bookman further teaches further comprising a plurality of receivers, the plurality of receivers comprising multimedia devices, wherein the multimedia devices comprise one or more of a content providing sub-system and a content receiving sub-system (data parsing into different kind of categories using categorizer and organized by content manager and distribute to user see Bookman: Fig.7).

13. Regarding claim 22, Bookman through Hudson taught the method of content delivery according to claim 21, as described above. Bookman further teaches wherein the content providing sub-system comprises content display computer system (RichLink content window see Bookman: Fig.7 block 170).

14. Regarding claim 23, Bookman through Hudson taught the method of content delivery according to claim 16, as described above. Bookman further teaches wherein the plurality of filtering hubs and the plurality of receivers are integrated one or more of logically and physically (parser and categorizer are logically implementing in the network module see Bookman: Fig.7 Block 710-760).

15. Regarding claim 24, claim 24 is rejected as the same reason as claim 1 as set forth hereinabove. Regarding claim 1, through Hudson taught the claimed method, therefore together, they teach the claimed machine-readable storage medium.
16. Regarding claim 25, claim 25 is rejected as the same reason as claim 2 as set forth hereinabove.
17. Regarding claim 26, claim 26 is rejected as the same reason as claim 3 as set forth hereinabove.
18. Regarding claim 27, claim 27 is rejected as the same reason as claim 5 as set forth hereinabove.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guang Li whose telephone number is (571) 270-1897. The examiner can normally be reached on Monday-Friday 8:30AM-5:00PM(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 8, 2009
GL
Patent Examiner

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit
2446